

Message Text

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ACTION SS-30

INFO OCT-01 ISO-00 /031 W

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R 261015Z APR 74

FM AMEMBASSY JAKARTA

TO SECSTATE WASHDC 1993

INFO AMEMBASSY SAIGON

CINCPAC

S E C R E T JAKARTA 5102

EXDIS

C O R R E C T E D C O P Y - T E X T

CINCPAC FOR POLAD

EO 11652: GDS

TAGS: ENRG PBOR VS ID

SUBJ: ENERGY-LOS: GVN-GOI CONTINENTAL SHELF DISPUTE

REF: A. JAKARTA 4655 B. JAKARTA 4911(NOTAL)

C. SAIGON 5238(NOTAL) D. JAKARTA 5079

1. SUMMARY. BASED ON TEXT OF MINMINING LETTER JUST RECEIVED, WE BELIEVE GOI POSITION HAS HARDENED CONSIDERABLY AND THAT GVN NATIONAL PETROLEUM BOARD (NPB) DELEGATION VISIT TO JAKARTA AT THIS TIME WOULD NOT PRODUCE USEFUL RESULTS UNLESS GVN WILLING TO ACCEPT GOI JUNE 1972 PROPOSED COMPROMISE. ACTION REQUESTED: WOULD APPRECIATE DEPARTMENT'S GUIDANCE ON WHETHER THERE IS POSSIBLE CONFLICT BETWEEN USG SUPPORTING GVN-GOI CONTINENTAL SHELF NEGOTIATIONS AND OUR SUPPORT INDONESIAN ARCHIPELAGO CONCEPT. END SUMMARY

2. AS SEEN FROM JAKARTA, GVN NPB DELEGATION VISIT TO INDONESIA AT THIS TIME COULD BE FRUITFUL ONLY IF GVN WILLING TO ACCEPT GOI COMPROMISE DISCUSSED JUNE 1972. FOLLOWING IS EMBASSY TRANSLATION OF
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PORTION OF LETTER DATED APRIL 18, 1974,

SIGNED BY MINISTER OF MINES (SADLI) PURPORTEDLY
ADDRESSSED TO PRESIDENT SUHARTO. PORTION OF LETTER
QUOTED BELOW WAS GIVEN TO EMBOFF BY GOI DIRECTORATE
OF OIL AND GAS OFFICIAL WHO PROVIDED INFORMATION
REPORTED REFTEL A.

3. BEGIN TEXT QUOTE

A. RECALLING THAT THE DEPARTMENT OF MINING HAS
GIVEN SUFFICIENT TIME AND OPPORTUNITY FOR A VISIT BY
A SOUTH VIETNAMESE TECHNICAL TEAM, AND SINCE THE
DATE APRIL 1, 1974 HAS ALREADY PASSED WE HEREBY,
HAVING HEARD THE OPINION OF THE MEETING OF THE
CONTINENTAL SHELF TECHNICAL TEAM, PROPOSE THAT AT THIS
TIME THERE IS NO NEED TO CONTINUE TECHNICAL-LEVEL
DISCUSSIONS WITH SOUTH VIETNAM. IF A TECHNICAL TEAM
FROM SOUTH VIETNAM NEVERTHELESS COMES TO INDONESIA,
THEN THE DEPARTMENT OF MINING WILL RECEIVE IT, BUT
NOT FOR THE PURPOSE OF NEGOTIATIONS, AND OUR
PRESENTATION WILL REPRESENT A -RE-EXPLANATION OF THE
INDONESIAN POSITION WHICH WAS CONVEYED AT THE
TECHNICAL DISCUSSIONS IN SAIGON ON JUNE 22, 1972,
WHICH SIMULTANEOUSLY REPRESENTED A PROTEST AGAINST THE
ACTION OF SOUTH VIETNAM IN ENTERING THE AREA OF THE
INDONESIAN CONTINENTAL SHLEF. (THIS AREA REPRESENTS
A PRODUCTION SHARING CONTRACT AREA OF PERTAMINA WHICH
IS BEING WORKED BY THE AGIP COMPANY) PURSUANT TO AN
ORDER OF THE GOVERNMENT OF SOUTH VIETNAM NO 061/
BTBKM/VP/UBCCDH/ME DATED FEBRUARY 19, 1974, RELATING
TO THE GRANT OF EXPLORATION AND EXPLOITATION CONCESSION.
B. FURTHERMORE WE WOULD LIKE THERE TO BE ADDITIONAL
ACTIONS AS FOLLOWS:

1. A PROTEST TO THE GOVERNMENT OF SOUTH VIETNAM
FOR ALL ENTRY INTO THE AREA OF THE CONTINENTAL SHELF
OF INDONESIA (WHICH IS ALREADY BEING WORKED BY A
PERTAMINA CONTRACTOR (AGIP) PURSUANT TO A PRODUCTION
SHARING CONTRACT WITH PERTAMINA) AS ORDERED BY
SOUTH VIETNAMESE ORDER:

A. NO 249-BKT/UB/VBQCDH/ND DATED 19 JUNE 1971

B. NO 061/BTMKN/UP/UBCCDH/ME DATED 19. *3? 1974

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2. TO ADVISE THE INDONESIAN EMBASSY THAT
WHENEVER IT IS DISCOVERED THAT COMPANIES ARE GIVEN
CONCESSION AREAS BY SOUTH VIETNAM AND WORK IN THE
CONTINENTAL SHELF AREA OF INDONESIA, THE EMBASSY SHOULD
INSTRUCT SUCH COMPANIES NOT TO CONTINUE SUCH ACTIVITIES
BECAUSE THEY ARE IN INDONESIAN TERRITORY. UNQUOTE
END TEXT

4. IN ANY CASE, WHETHER GOI WOULD AGREE TO NPB TECHNICAL DELEGATION VISIT TO INDONESIA IN NEAR FUTURE MAY BE PROBLEMATICAL SINCE CHIEF GOI CONTINENTAL SHELF TECHNICAL EXPERT TEAM, GENERAL SOEKAMTO SAJIDIMAN (CHIEF, PERTAMINA'S FOREIGN CONTRACTORS DIVISION), LEFT APRIL 24 FOR ROUND WORLD TRIP. INCLUDING WASHINGTON STOPOVER FROM MAY 13-15(REFTEL B) AND WILL NOT RETURN UNTIL JUNE 1. DEPARTMENT MAY WISH RAISE GOI-GVN ISSUE DURING GENERAL SOEKAMTO'S WASHINGTON DC VISIT.

5. ACTION REQUESTED: FOR GUIDANCE OF BOTH US AND SAIGON IN CONSIDERING TO WHAT EXTENT WE SHOULD ENCOURAGE GOI AND GVN TO PURSUE NEGOTIATIONS RE CONTINENTAL SHELF AGREEMENT, WOULD APPRECIATE DEPARTMENT'S GUIDANCE ON WHETHER THERE IS POSSIBLE CONFLICT BETWEEN OUR SUPPORT OF SUCH NEGOTIATIONS AND OUR SUPPORT OF INDONESIAN ARCHIPELAGO CONCEPT. IF EMBASSY'S UNDERSTANDING OF OUR ARCHIPELAGO POSITION, IS CORRECT, 80 MILE BASE LINE WOULD, BY INCLUSION OF INTERVENING ISLANDS, REACH NATUNA ISLAND. IT WOULD, THEREFORE, SEEM ONLY APPROPRIATE TO MEASURE MEDIAN POINT FROM NATUNE, RATHER THAN KALIMANTAN, AS PROPOSED BY SOUTH VIETNAM, IF WE ARE TO BE CONSISTENT WITH OUR ARCHIPELAGIC PORPOSALS TO INDONESIA.

6. RE SAIGON 5303, IN SHORT, WE DO NOT BELIEVE THIS IS A GOOD TIME FOR US TO ENCOURAGE GVN-GOI NEGOTIATIONS ON CONTINENTAL SHELF, NOT DO WE BELIEVE WE SHOULD ENCOURAGE GOI TO INVITE GVN TO SEND OBSERVER TO ASEAN MEETING FOR REASONS EXPAINED JAKARTA 5079. NEWSOM

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